

**NATURE OF CHARGE:** Adulteration, Section 402 (b) (1), a valuable constituent, vitamin C, had been in whole or in part omitted from the article.

Misbranding, Section 403 (a), the label statements, "Vitamin C (Ascorbic Acid) 40 Mgms, Percentage of daily Requirements 133% \* \* \* Two heaping tablespoonsful will provide \* \* \* 1½ times (the minimum daily requirements of) Vitamin C," were false and misleading since the article contained less than the stated amount of vitamin C, and it would provide less than the stated proportion of the minimum daily requirements for vitamin C.

**DISPOSITION:** October 5, 1945. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**9398. Adulteration and misbranding of Super Multi-Caps (vitamin tablets). U. S. v. 3,453 Bottles of Super Multi-Caps. Consent decree of condemnation. Product ordered released under bond.** (F. D. C. No. 17075. Sample Nos. 14803-H, 16557-H to 16559-H, incl.)

**LIBEL FILED:** August 24, 1945, Northern District of Ohio.

**ALLEGED SHIPMENT:** On or about August 10, 1945, by the Eljay Corporation, from Chicago, Ill.

**PRODUCT:** 1,202 100-tabsule bottles, 331 250-tabsule bottles, 1,037 50-tabsule bottles, and 883 25-tabsule bottles of Super Multi-Caps at Cleveland, Ohio.

**NATURE OF CHARGE:** Adulteration, Section 402 (b) (1), the following valuable constituents had been in whole or in part omitted from the article: Vitamins A and D from the 100-tabsule size; vitamin A from the 250-tabsule and 50-tabsule sizes; and vitamin D from the 25-tabsule size.

Misbranding, Section 403 (a), the following label statements were false and misleading: "Each Tabsule Contains Vitamin A 5000 U. S. P. Units, Vitamin D 800 U. S. P. Units \* \* \* Minimum Daily Requirements as provided in each Super Multi-Caps Tabsule Vitamin A 1½ Times, Vitamin D 2 Times." The article did not contain the stated amounts of vitamins, and it did not provide, in the 100-tabsule size, the stated proportion of the minimum daily requirements for vitamins A and D and, in the 250-tabsule and 50-tabsule sizes, the stated proportion of the minimum daily requirements for vitamin A.

Further misbranding, Section 403 (j), the article in the 25-tabsule size purported to be and was represented as a food for special dietary uses by reason of its vitamin A, B<sub>1</sub>, C, D, B<sub>2</sub>, B<sub>6</sub>, E, calcium pantothenate, and niacinamide content, and its label failed to bear, as required by the regulations, a statement of the proportion of the minimum daily requirements for vitamins A, B<sub>1</sub>, C, D, and B<sub>2</sub>, and the amounts of vitamins B<sub>6</sub>, E, calcium pantothenate, and niacinamide furnished by a specified quantity of the product when consumed during a period of 1 day; and the label also failed to bear the required statement that the need for vitamins B<sub>6</sub>, E, and calcium pantothenate in human nutrition has not been established.

**DISPOSITION:** March 12, 1946. The Oxford Products, Inc., Cleveland, Ohio, claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond for relabeling, or disposal in bulk, under the supervision of the Food and Drug Administration.

**9399. Adulteration and misbranding of vitamin tablets. U. S. v. 237 Bottles of Vitamin Tablets. Default decree of condemnation. Product ordered delivered to a charitable institution.** (F. D. C. No. 18426. Sample No. 7343-H.)

**LIBEL FILED:** November 23, 1945, District of New Jersey.

**ALLEGED SHIPMENT:** On or about July 31, 1945, by Vitamins for Industry, from Los Angeles, Calif.

**PRODUCT:** 237 bottles of vitamin tablets at Perth Amboy, N. J. Examination showed that the product was 20 percent deficient in vitamin B<sub>1</sub>.

**LABEL, IN PART:** "Aircraft Brand High Potency Diet-Enricher Vitamins."

**NATURE OF CHARGE:** Adulteration, Section 402 (b) (1), a valuable constituent, vitamin B<sub>1</sub>, had been in part omitted. Misbranding, Section 403 (a), the label statements, "Each Tablet Contains \* \* \* Vitamin B<sub>1</sub> Thiamin Hydrochloride 3 Mg. 1000 U. S. P. % Min. Adult Daily Need 300%," were false and misleading since the product contained less than the stated amount of vitamin B<sub>1</sub>, and it did not provide the stated proportion of the minimum daily requirement for such vitamin.